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EXAMINER	
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ART UNIT	PAPER NUMBER
2317	6

04/03/97

DATE MAILED:

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on _____ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. Claims 1 - 24 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. Claims _____ have been cancelled.

3. Claims _____ are allowed.

4. Claims 2 - 24 are rejected.

5. Claims _____ are objected to.

6. Claims _____ are subject to restriction or election requirement.

7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. Formal drawings are required in response to this Office action.

9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable; not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10. The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been approved by the examiner; disapproved by the examiner (see explanation).

11. The proposed drawing correction, filed _____, has been approved; disapproved (see explanation).

12. Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____.

13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. Other

Part III DETAILED ACTION

Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. "the first network" lacks proper antecedent basis.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 2, 16 and 11 are rejected under 35 U.S.C. § 102(a) as being unpatentable over the Etherphone system as disclosed by Rangan "Software Architecture for Integration of Video Services in the Etherphone System" and Vin "Multimedia conferencing in the Etherphone Environment".

As per claim 2, Rangan disclose the Etherphone is a conferencing system comprising:

workstations having audio and video reproduction capabilities [p.1396 fig.1];

AV path for carrying AV signals [fig.1];

AV conference manager [p.1397 Macaw];

a participant locator [apparent from p.1398 "if a participant moves to new location, macaw reroutes ... to new location"].

Vin discloses the Etherphone system has a participant locator that associate the workstation at with the participant login [p.72 col.2 line 11-19 "locator devices"].

As per claim 16, the Etherphone system has digital data path {Ethernet}.

As per claim 11, it is rejected under similar rationale as for claim 2 above.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3-10, 12-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Etherphone system as disclosed by Rangan "Software Architecture for Integration of Video Services in the Etherphone System" and Vin "Multimedia conferencing in the Etherphone Environment".

As per claims 3 and 12-13, Rangan and Vin do not specifically disclose a service directory of the workstation audio video capability. Vin discloses the Etherphone system support conferencing using common capabilities or mixed capabilities by determining audio video capabilities of the workstations [p.72 col.3]. Hence, it would have been obvious or one of ordinary skill in the art to have directory for determining audio, video capabilities of the workstation participating in the conference.

As per claim 4, Rangan disclose switches to establish teleconference between participants [p.1396 fig.1 "Matrix switch"]. The number of switches and participant supported would have been a matter of design choice. It would have been obvious for one of ordinary skill in the art to have the appropriate number of switches to support a desired number of participants.

As per claim 5, Rangan does not disclose Wide Area network (WAN) switches. However it is well known in the art to have WAN switches (gateway) for connecting workstations over geographically dispersed locations.

As per claim 6, it is rejected under similar rationale as for claim 3 above.

As per claim 7, it is apparent that the conference manager would choose reproduce devices based on availability.

As per claims 8-9, Rangan discloses user interface art to provide user selecting capability of reproduction devices [p.1397 col.1 last paragraph].

As per claims 10 and 15, the reference does not specifically disclose format conversion. However it is well known in the art to have converter for different AV signal encoding. It would have been well within the level of one of ordinary skill in the art to have converter for converting the AV format.

As per claim 14, Rangan disclose interfacing to external video production device [p.1396 fig.1 Optical disc].

Claims 17-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Etherphone system as disclosed by Rangan and Vin and further in view of Champa US patent 5,315,633.

As per claim 17, Rangan and Vin do not disclose codecs and AV switch for routing signal from first to second location via a third location. Champa teaches a teleconferencing system comprising:

an AV path [fig.4 # 45] for carrying AV signals, connecting the first workstation [fig.4] to a second work station [another station as in fig.4] via a third location [control hub fig.5, see col.7 lines 34-40];

first, second codecs [fig.4 #41], and third codecs [fig.5 #76] at said first, second and third locations configured to compress AV signal;

an AV switch [fig.5 switch #57] at the third location operable to route compressed AV signals to other locations without said compressed AV signals being decompressed by said third codec [apparent from col.6 and fig.5 - from fig.5, it is clear that the third codec (76) only code/decode signal for the link 75. All other signal would pass through the switch untouched by the codec 76].

It would have been obvious for one of ordinary skill in the art to combine Champa teaching with the EtherPhone system because it would have improved the system by enabling conference over wide area network.

As per claim 19 and 20, the frames rate are inherent characteristic of the system. The particular frame rate would have been a matter of design choice depending upon the quality of video playback required.

As per claim 21, it is rejected under similar rationales as for claim 17 above.

Claims 18, 22-24 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the Etherphone system as disclosed by

Rangan, Vin and Champa and further in view of IBM Technical Disclosure Bulletin Vol.34, no.7a, Dec. 1991.

As per claim 18, Champa does not specifically disclose a data conference manager using network protocol to control the video conference. IBM disclosure teaches a data conference manager [Conference server] controlling video conference [tuners, Rfmod, Codec] using data network [LAN]. Hence, It would have been obvious for one of ordinary skill in the art to have data manager using network protocol to control AV conference because it would have enable integration of data and AV conferences.

As per claim 22, it is rejected under similar rationales as for claim 18 above.

As per claims 23-24 they are rejected under similar rationales as for claims 19-20 above.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Biwas et al. "Distributed Scheduling of Meetings: A case Study in Prototyping Distributed Applications" System Integration 1992 Int. Conference. p.656-665.

Gopal et al. "Directories for networks with casually connected user", INFOCOM '88, p.1060-1064.

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both article disclose method for tracking user logging onto network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Dinh whose telephone number is (703) 305-9655. The examiner can normally be reached on Monday-Thursday from 7:00 AM - 4:30 PM. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached at (703) 305-9717. The fax phone number for this group is (703) 308-5359.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.



Dung Dinh
Patent Examiner
March. 30, 1997